

SECRET

SECURITY INFORMATION

OGC Has Reviewed

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LRH

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HLS - File

25X1A

[REDACTED]

7 April 1952

Office of General Counsel

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Proposed [REDACTED]

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1. Following our recent conversation, I discussed the copyright aspects of making a biographical [REDACTED] movie with a qualified attorney in private practice.

2. He pointed out that certain clearances must be obtained for the portrayal of living persons, but that no problem existed for those now dead. If the source of material for preparation of the shooting script is in the public domain, there is no copyright infringement. The "public domain" would, of course, include official reports such as the findings of the House Committee on Un-American Activities as well as official military records. Insofar as books or articles on the subject have drawn upon such sources for material, we would be in no danger. However, secondary sources in the form of non-official publications may contain inadvertent (or intentional) inclusion of statements which are fiction inserted by the writer, and, therefore, copyrightable matter, although they may, when read in context, appear to be truth. To put this another way, the safest approach is to dig out the necessary material directly from the public source without dependence on facts presented in non-official material.

3. The above statements are very general and should be used only in guidance for your preliminary approach. There are, naturally, refinements that may apply to the actual facts in the case and the shooting script should be carefully reviewed by a competent attorney before it is used. This office will be pleased to put you in touch with the man I have already seen, if you so desire.

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OGC/CWP:mkm